



Docket No.: 1293.1148

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Sung-wood PARK, et al.

Serial No. 09/695,197

Group Art Unit: 2615

Confirmation No. 1153

Filed: October 25, 2000

Examiner: Robert CHEVALIER

For: RECORDING MEDIUM STORING ADDITIONAL INFORMATION FOR RESTORING
DIGITAL DATA STREAM/INFORMATION, RECORDING METHOD AND RESTORING
METHOD

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed November 30, 2004.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. At page 2 of the Notice of Allowability, the Examiner states: "The claimed invention is directed to a recording medium. The independent claims identif[y] the feature of 'additional information which indicates that a first data stream and a second data stream comprised a third data stream before being divided by

editing/re-recording, wherein the recorded information is stored in one of the manufacturer information field, the search information field, and the linking information field.' And further more, the feature of 'determining if the contiguity information which has been recorded at the time of editing/re-recording indicates that the first data stream followed and was combined with the second data stream before being divided; and updating the contiguity information so that the first data stream again follows the second data stream in a reproduction sequence.'

By way of example, there are six independent claims in the application. Some are directed to a recording medium, some are directed to a method of editing/re-recording recorded data streams, some are directed to a method of restoring data streams. None of the claims include both the features mentioned by the Examiner. Some of the claims include the first mentioned feature but not the second mentioned feature. Although similar features as the second mentioned feature are found in claim 25, the second feature indicated in quotes above is not a quotation of claim language.

By way of another example, claims 28 and 31 does not include either of the first or second features indicated by the Examiner.

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 2/23/05

By: 

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